

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

MICHAEL RINNIER and	:	CIVIL ACTION
KIM RINNIER	:	
	:	
v.	:	
	:	
THE TERMINIX INTERNATIONAL	:	
COMPANY, L.P.	:	NO. 05-00299-JF

MEMORANDUM AND ORDER

Fullam, Sr. J.

August 1, 2005

Defendant Terminix has filed a "Motion to Compel Arbitration for Order Enjoining State Court from Interfering with this Court's Jurisdiction." Neither the motion, nor plaintiffs' response, makes much sense.

Quite apart from the fact that this court's dismissal of this action (without prejudice) has been appealed to the Third Circuit Court of Appeals, it is apparent (1) that this court has not ordered either party to pursue arbitration; (2) that if the Pennsylvania Supreme Court should reverse the order of the Pennsylvania Superior Court (an issue which cannot be known until the Pennsylvania Supreme Court acts on the pending application for leave to appeal), the existing arbitrator's award would be reinstated, and there would be no need for any further arbitration; (3) that the Court of Common Pleas of Delaware County is not in any way interfering with this court's jurisdiction; and (4) that counsel for both sides seem to have

lost sight of the best interests of their respective clients by pursuing their current litigation strategies, IT IS ORDERED:

That the defendant's motion is DENIED.

BY THE COURT:

/s/ John P. Fullam  
John P. Fullam, Sr. J.